

1 H.57

2 Representative McFaun of Barre Town moves that the bill be amended as
3 follows:

4 First: In Sec. 2, 18 V.S.A. chapter 223, in subsection 9493(b), after “or to
5 have an abortion”, by inserting the words “pursuant to this chapter”

6 Second: In Sec. 2, 18 V.S.A. chapter 223, by striking out section 9494
7 (interference with reproductive choice prohibited) in its entirety and inserting
8 in lieu thereof the following:

9 § 9494. ABORTION; PROHIBITED CONDUCT; LIMITATION ON

10 PROSECUTION

11 (a) A health care provider as defined in section 9493 of this title, acting
12 within his or her lawful scope of practice, may perform an abortion when, in
13 the provider's professional judgment based on the facts of the patient's case, the
14 patient is within 24 weeks from the commencement of pregnancy, or the fetus
15 is not viable, or in the provider’s reasonable medical judgment, the abortion is
16 necessary to protect the patient’s life or health.

17 (b) Any abortion provided by a health care provider that does not meet the
18 criteria established in section (a) of this section shall constitute unprofessional
19 conduct as provided in the relevant provisions of Title 26 and shall subject the
20 health care provider to discipline pursuant to the applicable provisions of that
21 title and of 3 V.S.A. chapter 5.

1 (c) No State or local law enforcement shall prosecute any individual for
2 inducing, performing, or attempting to induce or perform the individual’s own
3 abortion.

4 Third: In Sec. 2, 18 V.S.A. chapter 223, in subdivision 9497(1) after
5 “pregnancy” by inserting the words “prior to 24 weeks from the
6 commencement of the pregnancy”

7 Fourth: In Sec. 2, 18 V.S.A. chapter 223, in subdivision 9497(2) after
8 “pregnancy” by inserting the words “prior to 24 weeks from the
9 commencement of the pregnancy”

10 Fifth: In Sec. 2, 18 V.S.A. chapter 223, subdivision 9497(3) after
11 “pregnancy” by inserting the words “prior to 24 weeks from the
12 commencement of the pregnancy”

13 Sixth: In Sec. 2, 18 V.S.A. chapter 223, in subdivision 9497(4) after
14 “pregnancy” by inserting the words “prior to 24 weeks from the
15 commencement of the pregnancy”